

Belle Plaine, Iowa

March 1, 2023

The Belle Plaine City Council met on March 1, 2023, at 6:30 p.m. in the council chambers with Mayor Dave Fish presiding. Present: Judy Schlesselman, Garrett Landuyt, Mary Pech, Mitch Malcolm, and Lyle Morrow. Also present: City Administrator Stephen Beck, Assistant City Attorney Gage Kensler, and City Clerk Sandy Walton. The Pledge of Allegiance was recited.

Motion by Landuyt, seconded by Schlesselman to approve the Consent Agenda, Council Minutes of February 15, 2023, and bills received. On roll call vote, all voted aye, motion carried.

Resident Comments: None.

Motion by Schlesselman, seconded by Malcolm to approve the second reading of Ordinance 23-01; an ordinance repealing Chapter 111 and granting to Interstate Power and Light Company a non-exclusive electric franchise for the City of Belle Plaine, Iowa and imposing a 3% franchise fee. On roll call vote, all voted aye, motion carried. There will be one additional reading of this Ordinance at the next council meeting.

Motion by Malcolm, seconded by Morrow to approve the second reading of Ordinance 23-02; an ordinance repealing Chapter 110 and granting to Interstate Power and Light Company a non-exclusive natural gas franchise for the City of Belle Plaine, Iowa and imposing a 3% franchise fee. On roll call vote, all voted aye, motion carried. There will be one additional reading of this Ordinance at the next council meeting.

Motion by Malcolm, seconded by Landuyt to approve the proposed garbage/recycling RFP (with modifications) and mail out to contractors. On roll call vote, all voted aye, motion carried.

Kate Robertson, Benton Development Director, was present to answer any questions regarding the CDBG-DR Agreement. Motion by Malcolm, seconded by Landuyt to approve having Mayor Fish sign the IEDA CDBG-DR Program contract. On roll call vote, all voted aye, motion carried.

Motion by Pech, seconded by Schlesselman approving renewal of the Class C liquor license with Sunday sales and outdoor service for Grand Central Station, Inc. at 803 12<sup>th</sup> Street, Belle Plaine, Iowa. On roll call vote, all voted aye, motion carried.

Motion by Morrow, seconded by Pech approving renewal of the Class E liquor license, Class B wine permit with Sunday sales for Karam Kaur Khasriya LLC (Zip Mart) at 702 13<sup>th</sup> Street, Belle Plaine, Iowa. On roll call vote, all voted aye, motion carried.

Motion by Schlesselman, seconded by Malcolm to approve a one-time utility credit of \$130.24 at 1105 16<sup>th</sup> Street, Belle Plaine, Iowa created by frozen pipes. On roll call vote, all voted aye, motion carried.

Steve explained that inspecting all our bridges regularly is very important; not just the ones required by law. It allows us to track maintenance and damage as it occurs and allows us

better access to grant funding for replacement when needed. Motion by Pech, seconded by Morrow to approve the Agreement for 2023 Bridge Inspection Services with Calhoun-Burns & Associates, Inc. On roll call vote, all voted aye, motion carried.

Discussion was held on the three dangerous building inspection reports recently completed as follows:

- 1.) 715 12<sup>th</sup> Street – the owner is deceased and no estate has been opened in over a year. Our lawyers will move forward with 657A proceedings on this property as well as the one at 1005 9<sup>th</sup> Avenue.
- 2.) 104 11<sup>th</sup> Street – Council agrees that the house is in terrible condition. The City Administrator with Chief Hudson is to proceed with the next step in the dangerous building process.
- 3.) 909 9<sup>th</sup> Avenue - Council agrees that this house is also in awful condition. The City Administrator with Chief Hudson is to proceed with the next step in the dangerous building process.

There were updates given on the other properties currently in the litigation process. Gage reported that the properties at 1507 6<sup>th</sup> Avenue and 1502 6<sup>th</sup> Avenue have until next week to respond to the courts. If no response is received a default judgment will be issued. In addition, it was mentioned that nothing has yet been done with the property at 1410 6<sup>th</sup> Avenue where an extension was given. Steve will get in contact with the parties involved to check on their status.

Committee of the Whole: A discussion on drones was held at this meeting. Several residents spoke and were allowed to express their view of the drone situation. Bruce Gapstur, Belle Plaine Airport Manager, provided information on current FAA regulations regarding drones. Elana Johnson and others from the Belle Plaine Ambulance Service expressed concerns with a local drone operator flying his drone around accident scenes and general harassment of Ambulance personnel. John DeRaad of Belle Plaine said he understands the concerns, but wants to make sure that we don't go overboard in making drone laws too restrictive for responsible drone operators. Bruce Gapstur recommended we reach out to the FAA for enforcement of existing rules until more laws are passed. We only received one response from a request the mayor sent to fellow mayors regarding existing ordinances on drones. Sandy will send a similar request out through Clerknet to see if we can get more information on existing ordinances and enforcement.

Steve Beck, City Administrator, reported that the DOT had trucks in town surveying for a potential 4-lane to 3-lane project. Steve will meet with Anderson Bogert next week regarding the HAWK system. We have been experiencing intermittent phone problems at City Hall. We are taking steps to find a more permanent solution. Steve would like to attend two conferences coming up. The IMMI will be held in Iowa City and the Rural Summit will be held in Ames. Steve also reported that the house and garage at 1402 2<sup>nd</sup> Avenue has been torn down. There is a little cleanup to be completed yet regarding the foundation. Steve was also instructed to follow-up on properties at 1303 7<sup>th</sup> Avenue, 1111 15<sup>th</sup> Street, and 503 6<sup>th</sup> Street.

The City Clerk gave an update on the FY24 budget currently in process. Due to late changes by the state legislature which reduced property valuation, we did not publish the full budget

hearing after the last meeting as originally planned. We now have new valuations for Belle Plaine which show a \$3.4 million decrease year over year. We will reset the FY24 Budget Hearing at the next meeting and plan to hold it on April 5. The deadline has been moved from March 31 to April 30 for completion.

Jay reported that plugging one of the tiles in the wellfield appears to be having a positive affect as well levels have improved over last year at this time. He is finishing up demolition at the 1402 2<sup>nd</sup> Avenue property and plans to begin on the Herring Hotel the first week of April. He is keeping an eye out for a tooth bucket attachment for the excavator. This piece of equipment would prove useful in the demolition process.

The Mayor mentioned that Steve's evaluation is not yet completed. He will be working on it in the next couple of weeks. He has another procedure on Friday; hoping that it goes well and will be his last. The clerks will continue to do the agenda for the near future. He may have Steve attend the next landfill meeting.

Correspondence: None

Old Business: None

Resident Comments: None

Motion by Landuyt, seconded by Morrow to adjourn the meeting. On roll call vote, all voted aye. The meeting was adjourned at 8:30 p.m.

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David R Fish, Mayor

Attest: \_\_\_\_\_  
Sandra Walton, City Clerk

Transcribed by the City Clerk subject to Council approval.